Govt. II-37—20,000—27-10-38.

EDUCATION AND PUBLIC HEALTH. (195 ") Department.

No. SERIES.

Letter
~~G.O.~~ No. 3493 P.H.

Dated 20.10.47.

[Despatch Abstract.]

Dental Bill--1947--Government of India--Views of Provincial Government--Communicated.

No. F.21-5/47-MI:
GOVERNMENT OF INDIA.
Department of Health.

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From New Delhi, the 29th April, 1947.

G.A. Madani, Esquire, I.C.S.,
Deputy Secretary to the Government of India.

To The Secretary to the Government of Madras,
Education, and Public Health Department,
Madras.

Subject:- Dentists Bill, 1947.

Sir,

With reference to the correspondence ending with the Provincial Government's reply to this Department letter No.F.48-1/46-MI, dated the 26th August, 1946, I am directed to say that a Bill to regulate the profession of dentistry and for that purpose to constitute Dental Councils was introduced in the Central Legislative Assembly on the 12th April, 1947. I am to forward the papers the details of which are given in the margin and to request that the Provincial Government will favour this Department with an expression of their opinion on the provisions of the Bill and with the opinions of such bodies or individuals including Provincial Medical Councils and dental associations as the Provincial Government may think fit to consult on the subject.

20 copies of the Dentists Bill as introduced in the Central Legislative Assembly on the 12th April, 1947 together with a Statement of Objects and Reasons.

2. I am also to request that the Bill and the Statement of Objects and Reasons may be published in the official Provincial Gazette in English and in such other languages as the Provincial Government may deem proper that the date of such publication may be communicated in your reply. In this connection I am to say that when publishing the Bill in the Provincial Gazette it should be made clear at the same time in the Gazette that any person or public body desiring to submit an opinion on the Bill should do so by the 31st July, 1947, through the Provincial Government only.

3. I am also to suggest that opportunity may be afforded to the members of the Provincial Legislature to express their opinion on the Bill if they so choose and that for this purpose arrangement may be made to place a few copies of the Bill in the Library of the Provincial Legislature so that any member of the Legislature who wishes to submit his opinion may send it to the Provincial Government.

4. The reply to this letter may kindly be sent in duplicate.

5. I am further to request that the receipt of this letter may kindly be acknowledged.

I have the honour to be,
Sir,
Your most Obedient servant,

(Sd.)
DEPUTY SECRETARY.

Encls.

EDUCATION AND PUBLIC
HEALTH DEPARTMENT.

Letter No.38546/47-16 G2 P.H. dated/23-7-1947.

To

The Deputy Secretary to the Government of India
Department of Health, New Delhi
(with Enclosures) induplicate.

Sir,

Sub: ~~XXXXX~~ Dental Bill 1947.

With reference to your letter No.F.21.5.47 dated 29.4.47 I am to ~~XXX~~ state that the proposed Dental Bill was published in Part III-A of the Fort St. George Gazette dated 13.5.47 inviting the opinions from the general public till 15.7.1947. A press note was also issued in the leading English dailies of the Province giving in brief the statement of objects and Measons of the Bill and inviting attention to the publication in the Gazette. This Government also called for the opinion of the Madras Medical Council The All India Dental Association (Madras Branch) and D.W.S. Mathias 2Ds; 2Os (Vienna) Dental Surgeon, Ticoma, Coonoor. Copies of the bill were placed in the library of the Provincial legislature as desired in para 3 of your letter.

2. Copies of the opinions received from Associations and private individuals on the proposed Bill are forwarded herewith. As the Madras Medical Council has not been able to meet after the receipt of the Bill it has furnished the opinion of its individual members by circulating the bill to them. No member of the Provincial legislature has given his opinion on the Bill so far. If any opinion is received subsequent to this letter, it will be sent to you in due course.

3. The surgeon in the Government of Madras 1 has suggested the constitution of an expert committee to consider the various amendments suggested to the Bill. The Committee will constituted shortly and its opinion will be forwarded to you along with views of this Government at an early date.

Your Obedient Servant,

(Sd.)

23.1.47.

Letter (MS) 3493 PH dated/20.10.47.

To

The Deputy Secretary to the Government of India. (with copy of pages 112 to 118c.f.)
Ministry of Health, New Delhi.

Sir,

Sub: Dental Bill 1947.
Ref: My letter No.38546/47-16 G.PH d/23.7.47.

I am directed to invite w reference to para 3 of this Governments' letter cited above and to forward in continuance Thereof a copy of the report submitted by the expert Committee constituted for examining the proposed Dental Bill and also to communicate the following views of this Government on the report.

(1) Clauses 1(2), 10(5), 14, 15(1), 16(4), 33(1) (b) and33(2) of the Bill.

The verbal alterations suggested to these clauses are necessary in view of the new status attained by India and it is presumed that necessary action will be taken to modify them suitably.

(2) Clauses 2 and 49 of the Bill (Dental Hygienists)

This Government do not agree with the views of the Committee that 'Dental Hygienists' as a class should be deleted from the Bill but they consider that Dental hygienists should not be permitted to carry out extractions of the teeth, however ~~however~~ simple they may be. It will often be difficult to define a simple extraction and to differentiate between an extraction that is simple and one that is not and a provision for simple extractions may lead to abuses. The words "carries out simple extractions" occuring in clause 2(b) and the words. "The extraction of a teeth or" occuring in clause 49(c) may therefore ~~XXX~~ be deleted. No amendments to clauses 2(i), 11, 13(b), 20(g) , 36,37,45, 46(H) 48(c) and 51(c) are necessary as suggested by the Committee.

(3) Clause 33 of the Bill (qualifications for Registration)

This Government consider that a minimum ~~of~~ age should be fixed for persons requiring registration under this Act as otherwise persons who ave not attained majority may possibly get registered and accordingly recommend that the minimum age ~~account~~ may be fixed as 21 years as recommended by the Committee.

It is not clear from the phrase 'not less than two or more than five years' occuring in subclause 2 of clause 33 of the Bill whether the intention of the Government of India is that the word 'not' should refer also to 'more than 5 years' in which can a person who has practised for more than 5 years will be refused temperary registration under this clause. It is presumed, that this is not the intention of the Government of India, and if so the entire phrase may be replaced by "for not less than two years before".

(5) Clause 35 of the Bill (Serutiny of application for registration.

A second appeal to the Provincial Government may

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be allowed under this clause against the decision of the Provincial Dental Council as in the case of the Medical Council in this Province.

(6) Clause 51 of the Bill. (Companies not to engage in Dentistry)

The word 'only' may be added between the words 'employees' and 'otherwise' occuring in sub clause 2 (b) of this clause as its omission may help many petty firm with very few employees to circumvent the law and abuse the privilege granted to them. It is persumed that the words "carrying of of" occuring in sub clause(b) under this clause should read as "carrying on of".

(7) Clause 53 of the Bill; (Payment of part of fees to All India Dental Council.)

This Government utiterate the view already expressed in their letter No.3182 P.H. dated 8.11.46. that contributions to the India Dental Council by the Provincial Council should be subject to the condition that the Provincial council is able to pay the contribution. Any deficit to the India Council may be made good by the Government of India.

(8) Schedule to the Bill: (Qualifications)

This Government recommend that the following qualification s may be included in the schedule.

(a)	.D.S.	Degree of the University	of Minnesota U.S.A.
(b)	'do	"	St.Louis Missourie
(c)	do	do	Michigan
(d)	do	do	Tufts College Boston.

They do not consider that any of the others amendments suggested by the Committee are necessary.

I am to add in conclusion that subject to the observations made in the forgoing paragraphs this Government generally agree with the provisions of the Bill.

Yours Obedient Servant.
(Sd.)

R. Thiagarajan 6-1-54
OFFICE ASSISTANT
MADRAS RECORD OFFICE.

C.N.V.
3.12.

14/12/53 18/12.